

DENVER ROCKY MOUNTAIN NEWS  
13 November 1981

# Heroin sales brought up at Tafoya's trial

By LOUIS KILZER

News Staff

FORT COLLINS — A secret message directing accused hit man Eugene Tafoya to visit Libyan student Faisal Zagallai here in 1980 claimed Iranian and Libyan students were selling heroin in order to buy guns, a defense attorney said in court Thursday.

The alleged message didn't accuse Zagallai — the man Tafoya is charged with attempting to murder — of drug sales, but it did accuse him of making inflammatory radio broadcasts to the Middle East.

The message, revealed during opening statements at Tafoya's attempted murder trial here, is similar to information obtained by the News earlier regarding drug sales by Iranians in the Denver area.

A police source told the News last year that a small group of Iranians in the Denver area were suspected of purchasing guns with profits from drug sales.

On Thursday, the News was told by a knowledgeable law enforcement source that police informants claim the guns were to be sold to the Palestine Liberation Organization. However, it isn't known whether authorities have eyewitness knowledge of weapons purchases or sales.

No one has been charged, and there is no information the evidence is strong enough to produce a criminal case.

During opening statements at Tafoya's trial here, Walter Gerash, one of Tafoya's lawyers, said his client received a message while in London ordering him to go to Fort Collins. Gerash said it read: "Faisal Zagallai making broadcasts to Arab nations severely jeopardizing the detente between Egypt and Israel. Coalitions between Iranian and Libyan students trafficking in heroin via Teheran for sale to purchase weapons and to implement other programs."

Tafoya has told newsmen he thought his London orders came from the CIA. He said he had been ordered to tell Zagallai to "cool it," and that gunplay initiated by Zagallai ended in the Libyan's shooting.

Zagallai was shot twice in the head by Tafoya's .22-caliber revolver about 7:30 p.m. on Oct. 14, 1980. He was blinded in one eye.

Prosecutors believe Tafoya was on a mission for the Libyan government to kill Zagallai. Zagallai had voiced opposition to the leadership of Libyan strongman Moammar Khadafy.

In his opening statement, Larimer County District Attorney Stu Van Meveren told the jury he would discredit Tafoya's self-defense claim.

Gerash, in what was for him a subdued opening statement, said Tafoya would have acted much differently if he had intended to kill Zagallai. Tafoya wouldn't have used a gun traceable back to him, wouldn't have used his own credit cards at a Fort Collins motel, wouldn't have rented a car in his own name, and wouldn't have let several witnesses have a clear view of him at the shooting scene if his purpose was to kill, Gerash said.

It is a "case of a soldier left out in the cold," Gerash said. Gerash characterized Tafoya as a decorated war hero abandoned by his country. Gerash said he believes Tafoya was a small actor in a larger United States government operation. He has been allowed to take the blame for the decisions of his superiors, the defense claims.